

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015GY258
--------------------------	-------------

Name of Service:	The Den Creche
-------------------------	----------------

Address of Service:	Unit 21, Barna Village Centre, Barna, Co. Galway
----------------------------	--

Eircode:	H91 W621
-----------------	----------

Name of Registered Provider:	Tara Cunningham
-------------------------------------	-----------------

Service type:	Full Day, Part Time
----------------------	---------------------

Date of Inspection:	18th April 2023
----------------------------	-----------------

No of pre-school children:	AM	33	PM	23
-----------------------------------	----	----	----	----

Address of the Early Years Inspectorate:	Early Years Inspectorate, Quality and Regulation Directorate, Clinical & Administration Building, Block A (1st Floor- Green Corridor), Merlin Park, Galway.
Inspection undertaken by:	F. Nic Dhonnacha & S. Meehan
Title:	Early Years Inspectors

Authority to Inspect

The Tusla Early Years Inspectorate carries out inspections of Early Years Services under Section 58(J) of the Child Care Act 1991 (as inserted by Section 92 of the Child and Family Agency Act 2013).

Conditions if applicable	Not applicable
---------------------------------	----------------

Description of service

This pre-school service is part of a commercial premises, in the village of Barna, Co. Galway. This privately operated service offers a full day care and part time care provision from 7.30hrs to 18.30hrs. The service is registered for pre-school children aged months 1 year to 5 years of age. A child centred play-based pre-school curriculum focusing on Montessori and emerging interests is provided. The service is currently operating two playrooms on the ground floor, of the main building namely Wobbler / Toddler room and the Montessori room. The service has its own kitchen, where children's dinners are prepared, cooked, and stored on site. There is a designated sleep room adjacent to the Wobbler/ Toddler room, with four cots for children under 2 years of age, sleep provision. Sleep mats are available for children over 2 years of age. In each playroom, quiet rest areas with child size seating and soft matting are available for children to rest or opt out of an activity, if they wish to do so. To the side of the building, there are secure outdoor play areas for children's play, exploration, and fresh air.

Staffing

The registered provider works in the premises on a daily basis. There are eight staff including the registered provider working in the premises. Four staff hold a Quality and Qualifications Ireland (QQI) at a Level 5 to 6, in Early Childhood Care and Education. Documentary evidence was available of staff ongoing training and education.

Methodology

Tusla's Early Years Inspectorate is the independent statutory regulator of early years services in Ireland. The Child Care Act 1991 (Early Years Services) Regulations 2016 define the duty of a registered provider to ensure the safety and well-being of children and to comply with these regulations. This Act also gives Tusla the authority to assess compliance with the regulations. The purpose of regulation in relation to early years services is to ensure that the care, safety, and well-being of children attending such services is upheld. Inspections of early years services are planned based on the following:

- Previous inspection history
- Any information received in relation to the service

The findings on inspection are based on:

- Information obtained through examination of documentation
- Direct observation
- Discussion with relevant staff

This inspection was unannounced and focused on the area of governance, health welfare and development of child, safety, premises and facilities. The inspections may also focus on other areas as required.

Inspection findings are documented in the inspection report which is first issued in draft format to the service with an opportunity to respond to any findings. Where statutory requirements are identified as not being met, the registered provider must demonstrate how they have rectified the non-compliance and will prevent any non-compliance from re occurring. The Corrective Action and Preventive Action plan (CAPA) will be used to inform decisions about compliance with regulatory requirements. Where the registered provider fails to meet the statutory requirements an escalation process may be commenced.

The inspectorate reserves the right to edit responses received for reasons including clarity, completeness and compliance with administrative and legal processes.

The contents of the report are compiled by the inspectorate body.

Additional Information

Not applicable

Acknowledgments

The inspectors wish to acknowledge the cooperation of the registered provider, staff and children who were present on the day of the inspection.

Part III – Management and Staff

Regulation 9 – Management and recruitment

(1) A registered provider shall ensure that-

- (a) the service has a designated person in charge and a named person who is able to deputise as required,*
- (b) at all times during the period when the pre-school service is being carried on, the designated person in charge or the named person referred to in subparagraph (a) is on the premises, and*

(2) A registered provider shall ensure that each employee, unpaid worker and contractor is suitable and competent taking into consideration the nature of the needs of children, including by-

- (a) consideration of references from the person's past employers, if any, and in particular the most recent employer, if any,*

- (b) consideration of references from reputable sources in the case of a person who has no past employers,*
- (c) consideration of the vetting disclosure received from the National Vetting Bureau of the Garda Síochána in accordance with the Act of 2012 in respect of the person, and*
- (d) ensuring, insofar as is practicable, that where a person has lived in a state other than the State for a period of longer than 6 consecutive months, he or she provides police vetting from the police authorities in that state.*
- (4) A registered provider shall ensure that, without prejudice to the generality of paragraph (2) and subject to paragraphs (5) and (6), each employee working directly with children attending the service holds at least a major award in Early childhood Care and Education at Level 5 on the National Qualifications Framework or a qualification deemed by the Minister to be equivalent.*

Compliance Information

- (1)(a) The registered provider was the designated person in charge and there was a named person available to deputise, as required in the service.
- (b) The person in charge was on the premises when the early years inspector arrived and remained on for the duration of the inspection. The registered provider arrived during the inspection. Staff rosters indicated that either the designated person in charge or deputy were available, on the premises, at all times when the pre-school children were present.
- Since the last inspection 30th March 2022, four new staff had commenced in the service. All eight staff files were reviewed.
- (2)
- (a)&(b) Sixteen written validated references were on file from a past employer or reputable source for eight adults. Garda vetting disclosures were available in respect of eight staff working in the service.
- (d) Two adults who worked outside the jurisdiction, for longer than six consecutive months or more, while over the age of 18 years had the required police vetting disclosure.
- (c) Garda vetting disclosures were available in respect of eight staff working in the service.
- (4) Four of the eight adults who were working directly with the children had evidence of an award in Quality and Qualifications Ireland (QQI) at a Level 5 on the National Framework of Qualifications, in Early Childhood Care and Education or a qualification deemed by the Minister to be equivalent.

Non-Compliance Information

- (2)(d) One of the two police vetting's from a location outside the jurisdiction, was not translated by a reputable source.
- (4) Four adults working directly with children did not have a qualification at a Level 5 or above on the National Framework of Qualifications, in Early Childhood Care and Education or a qualification deemed by the Minister to be equivalent.
- This was non-compliant on the previous inspection dated 30th of March 2022 where, there were three unqualified adults working directly with the children in the service.

Corrective & Preventive Action submitted by the Registered Provider

On the 9th of May 2023 the registered provider advised of the following.

Corrective and Preventive Action

- (2) (d) Two adults have left the service and they no longer work in the preschool service.
- (4)
- One adult is not working in the premises anymore.
 - One adult has commenced a Fetac Level 5 in Early Childhood Care and Education since May 2023.
 - One adult has taken over kitchen duties.
 - One adult is progressing through Level 6 in Childcare, both the adult and registered provider have contacted the college to obtain the equivalent qualification.

Supporting documentation submitted

- (4)
- An invoice dated 9th of May with partial payment for the enrolment of an adult in the service on a college childcare course was submitted to the office of the early years inspectorate.

Summary Comment

- (2)(d) This is no longer non-compliant as the staff member is no longer working in the service.
- (4) This remains non-compliant as evidence that 2 of the 4 staff who were found to be working directly with the children have a childcare qualification not been submitted to the Inspectorate. One staff member is no longer working in the service and the 4th is no longer working directly with the children.

Part III – Management and Staff

Regulation 11 - Staffing levels

(1) Subject to this Regulation, a registered provider shall ensure that there is at all times an adequate number of adults working directly with the children attending the pre-school service.

(2) Subject to paragraphs (4) and (5), a registered provider of a full day care service or a part-time day care service shall ensure that at all times the minimum ratio of adults to children specified in column (3) of Part 1 of Schedule 6 opposite a particular reference number specified in column (1) of that Part in respect of the age range of the children specified in column (2) thereof at that reference number is satisfied.

(8) Without prejudice to paragraphs (2) to (7)-

(a) a registered provider of a pre-school service other than a child-minding service or a sessional pre-school service shall ensure that there are at least 2 adults on the premises at all times,

Compliance Information

(1)&(2) On the morning of the inspection, at 10.30hrs, there were thirty-three preschool children present with five adults working directly with, caring and supervising these children.

- 3 babies were aged between 1 and 2 years,
- 8 children were aged between 2- 3years,
- 11 children were aged between 3-4 years,
- 11 children were aged between 4- 5 years.

In the afternoon, of the inspection, there were 23 children present being supervised by 7 adults.

- 3 children were aged between 1 and 2 years,
- 7 children were aged between 2 to 3 years,
- 13 children were aged between 3 to 5 years.

The person in charge assisted with the administration duties of the inspection, acted as childcare relief and also carried out cooking duties in the service kitchen.

(8)(a) Documentary evidence indicated that at least 2 adults were on the premises at all times when the preschool was operating.

Part IV – Information and Records

Regulation 16 – Record in relation to pre-school service

(1) A registered provider shall ensure that a record in writing is kept of the following information in relation to the service:

- (g) the policies, procedures and statements the service is required to maintain in accordance with Regulation 10.
- (h) details of attendance by each pre-school child on a daily basis.
- (i) details of staff rosters on a daily basis.
- (j) details of any medication administered to a pre-school child attending the service with signed parental consent.
- (k) details of any accident, injury or incident involving a pre-school child attending the service.

Compliance Information

(1) Records in writing were kept in relation to the preschool service.

- (g) The service policy folder was presented for inspection and reviewed by the inspectors.
- (h) The child attendance record for the school year to date, with each child's details was available for inspection and detailed each preschool child's arrival and departure times.
- (i) A staff roster was available.
- (j) Medication administration forms were available when specific medication was required to be given to the child. Documentary evidence indicated that parental consent was requested.

Non-Compliance Information

- (K) While it is acknowledged that the person in charge advised that parents and guardians were informed verbally of any accidents or incidents that occurred in the preschool. There was inconsistent evidence that written copies of an accident or incident in the record book were given to the parents/ guardians. Of a sample of twenty-eight written accident and incident records only ten were given to parents and guardians, as they remained in the record book and some of these records had not been signed by the parents as evidence that they had been informed.

Corrective & Preventive Action submitted by the Registered Provider

On the 9th of May 2023 the registered provider advised of the following.

Corrective and Preventive Action

All staff have been educated and retrained in relation to accidents and incident report writing and documentation for the service and parents/ guardians.

Supporting documentation submitted

No response submitted.

Summary Comment

The actions as stated by the registered provider will address the non-compliances identified. However, no evidence was submitted to support these actions.

Part V - Care of Child in Pre-school Service

Regulation 19 - Health, welfare and development of child

(1) A registered provider shall, in providing a pre-school service, ensure that-

(a) each child's learning, development and well-being is facilitated within the daily life of the pre-school service through the provision of the appropriate activities, interaction, materials and equipment, having regard to the age and stage of development of the child.

Compliance Information

(1)(a)

Basic Needs

- The healthy eating policy was available for parents and guardians to view. A three-week menu was displayed on the door of the kitchen. Adequate suitable and varied food / drink was observed for each preschool child attending the preschool service. The meals were prepared cooked and stored onsite.
- The children were given sufficient time to eat in an unhurried manner and older children sat at age-appropriate low-level tables and chairs at meal / snack times.
- All children had access to a water station that allowed them to take a drink when thirsty.
- The staff encouraged and supported them to self-feed independently, accordingly to their age and stage of development.
- Bibs were available and used for children in the Wobbler / Toddler room at their snack / mealtimes.
- Ten children from the Wobbler / Toddler room wore nappies and had their nappies changed on a regular basis, in a timely manner in the designated nappy changing area.
- Older children were toilet trained and either used the toilet independently or with some assistance, as required.
- The preschool children were observed washing their hands before eating their snack / meals, after toileting/ nappy changing and after outdoor play. Hand washing was supervised by staff.

- There were six highchairs for the children in the Wobbler / Toddler room. On the day of inspection, the infants and children were not in a highchair or other piece of equipment that constrains their movement, for longer than fifteen minutes, other than at meals or snack times.
- All the children had the opportunity to play outside for physical exercise and movement.
- There was a cosy area within each of the playrooms with child sized couches provided which could be adapted as a rest area for the children to rest or opt out of activities if they so wished.
- The service supported children in forming and sustaining positive relationships with siblings, peers, and other children, by providing opportunities for small and large group activities and play, leading to increased social awareness, co-operation, collaboration, teamwork, and a sense of belonging.
- Staff responded to infants in a timely and appropriate way when they cried or became upset.
- On the day of inspection, the children from the Montessori room were observed at tabletop activities, cutting paper, making umbrellas from clouds and coloured paper, while learning about the Weather the theme of the week and the children were playing matching games. The children were observed climbing on an activity centre, kicking ball, drawing with chalk, running, chasing and on scooters.
- On the day of inspection, the children from the Wobbler / Toddler room were observed at art and crafts, at free play and at story time. The children were observed playing outside, running, jumping, and exploring. The children played in the playhouse and with pedal cars.

Supporting Relationships

- On speaking with staff, the inspectors were informed that they verbally provided parents with daily information on their child's experiences in the pre-school including the child's interests, preferences and play activities engaged in. This information was provided at collection times or by phone calls. Information about the service and general information was displayed on the notice board, inside the main door.
- The children's art and craft materials were collated into folders and given to parents and guardians on a seasonal basis.
- The outdoor play areas to the side of the premises were sufficiently spacious to accommodate the numbers of children attending the service. The outdoor play environment provided activities and opportunities for fresh air, exercise, and discovery.

Part V - Care of Child in Pre-school Service

Regulation 20 – Facilities for rest and play

(1) Subject to this regulation, a registered provider shall ensure that-

(a) having regard to the number of pre-school children attending the service, their respective ages and the amount of time they spend on the premises, there are adequate and suitable facilities for each child 19 to play indoors and, where required by these Regulations, outdoors, during the day, and

(b) there are adequate and suitable facilities for a pre-school child to rest during the day, and in the case of an overnight pre-school service, during the day and the night.

(3) A registered provider of a full day care service, a part-time day care service or a childminding service, other than such a service to which paragraph (2) applies, shall ensure that-

(a) a suitable, safe, and secure outdoor space to which the pre-school children attending the service have access on a daily basis is provided on the premises.

Compliance Information

(1)(a) The play materials and environment were changeable, flexible, and responsive to the emerging changing needs, preferences, and interests of the children. The staff encouraged children to interact and to engage with a range of materials, activities, and equipment in the environment, based on the child's choices, age and stage of development.

Wobbler/Toddler room

Materials and items of interest included a mounted sensory board on the wall, mirrors, soft matting, cars, transport vehicles, soft toys, animals, musical instruments, books, and blocks.

Displayed on the walls were posters and visual aids with themes including happy birthday, family photos, shapes, and the daily routine.

Montessori room

Materials and items of interest included, a large wooden playhouse with a home corner underneath, small world toys, soft toys, musical instruments, blocks, connectors, beads, figurines, animals, farmyards, shape sorters, mirrors, arts and crafts, puzzles, timers, jugs, bowls, dolls, buggies, construction, and books.

Displayed on the walls were children's artwork, emotions, birthdays, shapes, and daily routine.

(b) Rest/quiet areas were provided in the playrooms in the form of couches, cushions and matting to facilitate a child to rest or opt out of an activity if he or she chose to.

There was a designated sleep room with four cots, for younger children’s sleep provision. The older children had access to sleep mats for their sleep provision, when required and part of the Wobbler/ Toddler room was converted for sleep provision.

(3)(a)

Outdoor area

The equipment and materials available provided children with play, movement and exploration opportunities that were exclusive to the outdoors. The outdoor play areas were divided by fencing and gates.

These areas were covered with an impact absorbing surface and secured with metal fencing and a boundary wall. Equipment included scooters, a playhouse, balls, and push cars, activity centre, balls, mounted blackboards, chalk, scooters, and tricycles.

There was a wooden storage area securing the heat system which was also used for the storage of play equipment. Staff advised play items in this storage unit were rotated on a theme basis.

Part V - Care of Child in Pre-school Service

Regulation 22 – Food and drink

A registered provider shall ensure that adequate and suitable, nutritious and varied food and drink is available for each pre-school child attending the pre-school service.

Compliance Information

- From 7.30 hrs, children had the opportunity for breakfast, cereals with milk and toast were offered.
- In the morning and afternoon, the children had their snacks provided by the service which included a variety of fruit, banana, apple, pineapple and pear with crackers and pizza with cheese ham and fruit.
- For children attending full day care, the dinner was prepared, cooked, and stored on site in the service kitchen.
- The children attending on a full day care basis had chicken curry and rice, with carrots, peas and sweetcorn which was cooked on site. Children had the opportunity for seconds if desired. Water and milk were served with the main meal.
- Drinking water was available and accessible for children in the Wobbler / Toddler and Montessori room.

Part VI - Safety

Regulation 23 - Safeguarding health, safety and welfare of child

A registered provider shall ensure that all reasonable measures are taken to safeguard the health, safety and welfare of a pre-school child attending the service and that the environment of the service is safe.

Compliance Information

General Safety:

- The entrance door into the pre-school was secure to prevent unauthorised access by a person or the unsupervised exiting by a pre-school child.
- The external outdoor play areas were secured by fencing / gates so that unauthorised persons could not access or enter the area or children could not exit unsupervised.
- All cleaning agents and equipment were stored inaccessible and out of children's reach.
- All toys and play equipment were observed to be safe and in good condition.
- The six highchairs in the Wobbler / Toddler room were in good condition with the harness / safety straps in use were observed to be safe and in good condition.
- Fire doors throughout the building were unobstructed.
- Daily records of attendance were kept for all of the children attending the playroom.

Infection Control:

- There was one designated nappy changing area.
- Staff involved in the serving of food and nappy changing used disposal aprons and gloves when nappy changing.
- An airtight sealable bin was available for the disposal of used nappies in the designated nappy changing area.
- The children's belongings for nappy changing were individually labelled.
- The children's barrier creams were clearly individually labelled / stored within their designated nappy changing areas.
- The playrooms were observed to be kept adequately ventilated with the windows left open whilst maintaining the room temperatures at the required levels.
- Adequate supplies of disposable tissues were readily available in the playrooms.
- There was a daily and weekly cleaning schedule available.

Administration of Medication:

- No medication was administered on the day of inspection.
- When questioned the staff showed they were aware and demonstrated vigilance in relation to any known food sensitivities and allergies.

Safe Sleep:

- There was one designated sleep room with four cots respectively for children younger than 2 years of age. Additionally, five sleep mats were available for older children requiring sleep.
- Children were observed sleeping on demand throughout the period of inspection.
- The inspectors observed and documentary evidence indicated that the staff physically checked sleeping children every 10 mins.
- A thermometer was available in the sleep room and used as the method of recording the sleep room temperature and necessary any remedial action when temperatures were above 20 °C and below 16 °C.
- A supply of clean linen was available and stored in individual containers.

Fire Safety:

- The service completes monthly fire drills to support the safe evacuation in the event of a fire.
- Fire exit signage and assembly points were noted.

Outing:

- The service does not go on outings.

Non-Compliance Information

General Safety:

1. The door into the adult only sanitary room was not secured as the handle was broken and required replacement or repair and children had access to cleaning supplies, detergents, and personal belongings, it potentially causes a safety risk to preschool children.
2. Adults coats and bags were hung on hooks on a shelving unit inside the Wobbler / Toddler room accessible to the children causing a safety risk to the preschool children.

Infection Control:

1. In conflict with best practice including the management of infectious disease in childcare facilities and other childcare settings <https://first5.gov.ie/guidance>. Cloth towels rather than disposal paper towels and disinfectant sprays were used for cleaning tabletops and work surfaces posing a potential risk for cross infection.

Action submitted by the Registered Provider

On the 9th of May the registered provider advised of the following.

Corrective & Preventive Action

General Safety:

1. A maintenance person has been contacted to fit a new lock on the staff toilet door the expected date for completion is two weeks.
2. The registered provider has educated and retrained the staff on the importance of keeping personal belongings in their lockers.

Infection Control:

1. A new separate clean cloth will be used with hot soapy water or disinfectant spray for cleaning surfaces, once used it will be laundered.

Supporting documentation submitted

No evidence submitted.

Summary Comment

The actions as stated by the registered provider will address the non-compliances identified. However, no evidence was submitted to support these actions.

Part VI - Safety

Regulation 25 - First aid

- (1) A registered provider shall ensure that a person trained in first aid for children is, at all times, immediately available to the children attending the pre-school service.*
- (2) A registered provider shall ensure that a suitably equipped first aid box for children-*
- (a) is safely stored in an easily accessible and conspicuous position on the premises, and*
 - (b) is available to the children attending the pre-school service at all times.*

Compliance Information

- (1) The service provided evidence that a person trained in first aid for children, was available at all times to the children attending the pre-school service.
- (2)(a) There was two first aid boxes available for the service with content items within date, safely stored, easily accessible and stored in a conspicuous position in the Montessori room and kitchen.
- (b) The service demonstrated that the two first aid boxes were fully equipped and available to the children attending the pre-school service.

Part VI - Safety

Regulation 26 - Fire safety measures

- (1) A registered provider shall ensure that a record in writing is kept of-*
- (a) any fire drill that takes place in the premises, and*
 - (b) the number, type and maintenance record of firefighting equipment and smoke alarms in the premises.*
- (4) A notice of the procedures to be followed in the event of fire shall be displayed in a conspicuous position in the premises.*

Compliance Information

- (1)(a) A written record was available of the monthly fire drills completed in the service. The last recorded fire drill was dated 2nd of March 2023.
- (b) Records were available in relation to the number, type, and maintenance of fire-fighting equipment with the annual service dated 3rd of March 2023.
- The smoke and fire detection alarm system for the premises had the last annual service dated 3rd of March 2023.
- (4) Notices were displayed within the service of the procedures to be followed in the event of fire in the premises.

Part VI - Safety

Regulation 28 - Insurance

A registered provider shall ensure that the pre-school service is adequately insured.

Compliance Information

The service was adequately insured with evidence of a certificate of insurance with an expiry date of 27th of March 2024. The insurance covered.

- public liability,
- personal accident,
- against fire and theft,
- buildings.

Part VII - Premises and Space Requirements

Regulation 29 - Premises

A registered provider shall ensure that the premises of the service are-

- (c) kept adequately lit, heated and ventilated*
- (d) cleaned, maintained and repaired, as required.*

Non-Compliance Information

- (c)
1. There was a foul odour from the nappy changing area. The ventilation system did not appear to be working in both the nappy changing area and children sanitary area. It was acknowledged that the registered provider presented evidence that a reputable company had been contacted to carry out the works required.
- (d)
2. Two sections of a wall and the floor in the Wobbler / Toddler room, required maintenance and painting following a repair from a burst pipe and water leak. The person in charge advised that repair, and maintenance of this area was scheduled for September 2022 but was waiting for a builder to carry out the work.

This was an outstanding non- compliance from a previous inspection dated 30th of March 2022 and following a regulatory compliance meeting dated 21st June 2022.
 3. A large wooden shelving unit for toys and play materials in the Wobbler / Toddler room and the Montessori room was worn and chipped and required replacement or repair.

Corrective & Preventive Action submitted by the Registered Provider

On the 9th of May 2023 the registered provider advised of the following.

Corrective and Preventive Action

29 (c)

1. A reputable company has been contacted and is awaiting delivery of a specific part to fix the ventilation system in the nappy changing area and the sanitary area. The estimated completion date is at the end of May 2023.
2. Repair, maintenance and refurbishment of the pre school is planned and items are ordered, the builder has advised the registered provider that the works will be completed by September 2023.

3. New slimline shelving will be installed in the Wobbler / Toddler room will be replaced by the end of September 2023.

Supporting documentation submitted

1. A copy of a letter from the company who is to complete the works on the ventilation system in the nappy changing area and the children's sanitary area.
2. No evidence submitted.
3. No evidence submitted.

Summary Comment

The actions as stated by the registered provider will address the non-compliances and dates have been supplied by which these actions will be completed. These will be reviewed on next inspection.